IN THE HIGH COURTOF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 67 OF 2007.

Dilip Ahsok Desai & Anr. ..Petitioners.
V/s
Kolhapur Municipal Corporation & Ors. ..Respondents.

Mr. S.S. Shah for the petitioners.

Mr. S.S. Patwardhan for respondent No.1.

Mr. J.P. Sen i/b Mulla & Mulla for respondent NO.2.

Mr. R.V. Govilkar for respondent No.3.

Mr. S.R. Nargolkar, AGP for respondent No.4.

CORAM : J.N.PATEL AND A.A.SAYED, JJ.

DATE : 21ST SEPTEMBER, 2007.

P.C.

1. The affidavit-in-reply filed by respondent is taken on record. The issue raised by the petitioners is in relation to the disposal of solid waste. From the affidavit-in-reply filed by the Commissioner of Municipal Corporation Kolhapur and Maharashtra Pollution Control Board, this Court is satisfied that the respondents are taking necessary steps for complying with the provisions of Municipal Solid Waste (Management & Handling) Rule 2000 and Pollution Board has been monitoring the things under Act.

2. The respondent Corporation had made a statement that they have identified site for disposal of solid waste for the purpose of land-fill in accordance with the provisions of Municipal Solid Waste Rules of 2000.

3. So far as respondent No.2 is concerned, they have established a plant for processing and disposal of solid waste converting the same into bio-fertilizer after segregating the recyclable material (Boot basis) and they have nothing further todo in the matter. New site has been identified by the Municipal Corporation therefore, nothing survives in this petition. We therefore, dispose of this petition with liberty to the petitioners to move the Court in case any problem affecting public health, arises in future for want of compliance of the Municipal Solid Waste (Management & Handling) Rules. 2000 under the provisions of the Environment (Protection) Act, 1986 by the authorities concerned.

[J.N.Patel, J.]

[A.A.Sayed, J.]